



# भारत का राजपत्र

## The Gazette of India

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EXTRAORDINARY

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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संलग्न वी आती हैं जिससे इक वह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF CIVIL SUPPLIES AND COOPERATION

ORDER

New Delhi, the 4th February, 1978

S.O. 64(E).—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following Order to amend the Pulses, Edible Oilseeds and Edible Oils (Storage Control) Order, 1977, namely :—

1. (1) This Order may be called the Pulses, Edible Oilseeds and Edible Oils (Storage Control) Amendment Order, 1978.
- (2) It shall come into force at once.

2. In clause 2 of the Pulses, Edible Oilseeds and Edible Oils (Storage Control) Order, 1977 (hereinafter referred to as the said Order), for sub-clause (j), the following sub-clause shall be substituted, namely :—

“(j) ‘producer’ means a person carrying on the business of milling any of the pulses or expelling, extracting or manufacturing any edible oil,

- (i) by buying pulses or edible oilseeds for being processed by himself and selling the finished products to a wholesaler or through a commission agent; or
- (ii) by doing any of the processes of milling, expelling, extracting or manufacturing on behalf of another.”.

3. In sub-clause (1) of clause 4 of the said Order, for the second, third and fourth provisos, the following provisos shall be substituted, namely :—

“Provided further that where a dealer is also carrying on business as a producer or commission agent, he shall be entitled to retain the stock limits specified in this sub-clause for each such business if such business and accounts thereof are kept separate and distinct from one another :

Provided also that no producer specified in column (1) of the Table below shall store or have in his possession at any time unmilled pulses, edible oilseeds or mustard seeds, as the case may be, in excess of the quantity specified in the corresponding entry in column (2) of the said Table, and he shall not hold the finished stock in excess of the quantity specified in the corresponding entry in column (3) of the said Table :

TABLE

Producer (1)	Quantity of unmilled pulses, edible oilseeds or mustard seeds (2)	Quantity of finished stock, namely, milled pulses, oil or mustard oil (3)
	Producer who is carrying on business on the commencement of this Order.	Producer who has commenced production after the commencement of this Order.
1. Producer of pulses	One-twelfth of the maximum quantity of pulses used by him in any of the three years ending on the 31st day of October, 1977.	For a period of one year from the date of commencement of his production, one-twelfth of the quantity of pulses that would be required for producing a quantity equal to his annual installed capacity.
2. Producer of edible oils, other than mustard oil	One-eighth of the maximum quantity of edible oilseeds used by him in any of the three years ending on the 31st day of October, 1977.	For a period of one year from the date of commencement of his production, one-eighth of the quantity of edible oilseeds that would be required for producing the quantity equal to his annual installed capacity.
3. Producer of mustard oil	One-twelfth of the maximum quantity of mustard seeds used by him in any of the three years ending on the 31st day of October, 1977.	For a period of one year from the date of commencement of his production, one-twelfth of the quantity of mustard seeds that would be required for producing the quantity of mustard oil equal to his annual installed capacity.

Provided also that where any quantity of pulses, edible oils or edible oilseeds is in transit, then, for the purposes of this sub-clause, such quantity shall be deemed to have been included in the stocks of the dealer in whom the property in such quantity is retained during such transit in accordance with the terms of any contract or agreement in pursuance of which the quantity is put in such transit."

4. After clause 7 of the said Order, the following clause shall be inserted, namely :—

"7A Power to exempt :

The State Government may, if it considers it necessary for avoiding any hardship or for any other just and sufficient reason, by notification in the Official Gazette, exempt any producer, dealer or commission agent from the operation of all or any of the provisions of this Order, either generally or for any specified period, subject to such conditions as may be specified in the notification :

Provided that no notification under this clause shall be issued except with the previous approval of the Central Government."

[F. No. 26(16)/77-ECR]

T. BALAKRISHNAN, Joint Secy.